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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,283	03/23/2001	Deepak Puri	11499-01	4557
24035	7590	10/05/2004	EXAMINER	
KEYSER MASON BALL, LLP FOUR ROBERT SPECK PARKWAY SUITE 1600 MISSISSAUGA,, ON L4Z 1S1 CANADA			LASTRA, DANIEL	
			ART UNIT	PAPER NUMBER
			3622	
DATE MAILED: 10/05/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,283

Applicant(s)

PURI, DEEPAK

Examiner

DANIEL LASTRA

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/23/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

1. Claims 1-13 have been examined. Application 09/815,283 (SYSTEM AND METHOD FOR PROVIDING E-COMMERCE BASED ON A REWARD CURRENCY) has a filing date 03/23/2001 and Claims Priority from Provisional Application 60191477 (03/23/2000)

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Eggleston et al (U.S. 6,061,660).

As per claim 1, Eggleston teaches:

A system for creating and implementing incentive programs for use by a plurality of users corresponding to a plurality of interconnected computers comprising:

a server computer accessible by means of said plurality of interconnected computers, said server computer comprising:

(a) an incentive customization facility accessible to said plurality of users who are authorized to access said incentive customization facility, said incentive customization facility providing means for designing, creating and implementing incentive programs based on a reward currency (see column 6, lines 30-67; column 27, lines 20-30; column 30, line 46 – column 31, line 3); and

(b) an e-commerce facility that permits the processing of electronic transactions by said plurality of users authorized to access said e-commerce facility based on said reward currency (see column 42, lines 7-55; column 43, lines 24-59).

As per claim 2, Eggleston teaches:

A system as claimed in claim 1, wherein said e-commerce facility provides means for processing electronic transactions based on said reward currency and monetary currency (see column 44, lines 1-40).

As per claim 3, Eggleston teaches:

A system as claimed in claim 2, wherein said incentive programs comprise employee programs, business to business programs, and business to end user programs (see column 31, lines 37-40).

As per claim 4, Eggleston teaches:

A system as claimed in claim 3, wherein said incentive customization facility provides means for designing, creating and implementing said incentive programs

based on a plurality of incentive program templates provided by said incentive customization facility in co-operation with a database (see column 14, lines 25-50).

As per claim 5, Eggleston teaches:

A system as claimed in claim 4, wherein said incentive customization facility co-operates with said database to provide means for designing, creating and implementing incentive programs based on a series of incentive program parameters, said incentive program parameters comprising target audience data, incentive program start and end dates, and award values attributable to particular events (see column 31, lines 37-40; column 35, lines 8-10).

As per claim 6, Eggleston teaches:

A system as claimed in claim 5, wherein said server computer further comprises an incentive management facility which provides means for adjusting said incentive program parameters in co-operation with said database (see column 21, lines 1-30).

As per claim 7, Eggleston teaches:

A system as claimed in claim 6, wherein said server computer further comprises a launch incentive program facility which provides means for promoting an incentive program designed, created and implemented by means of said incentive customization facility (see column 21, lines 1-30).

As per claim 8, Eggleston teaches:

A system as claimed in claim 7, wherein said server computer further comprises a communication facility that provides means for communication between said server computer and said plurality of users (see column 21, lines 1-30).

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As per claim 9, Eggleston teaches:

A system as claimed in claim 8, wherein said server computer further comprises an interactive demonstration facility providing means for one of said plurality of users authorized to access said incentive customization facility to predict the effect on said target audience of an incentive program designed and created by means of said incentive customization facility (see column 18, lines 46-67).

As per claim 10, Eggleston teaches:

A system as claimed in claim 9, wherein said e-commerce facility further provides means for creating an environment accessible from said interconnected computers for facilitating electronic transactions between said plurality of users who are buyers or sellers (see column 44, lines 1-40).

As per claim 11, Eggleston teaches:

A system as claimed in claim 10, wherein said server computer further is provides a register to buy facility that permits buyers and sellers to be matched within said environment (see column 44, lines 1-40).

As per claim 12, Eggleston teaches:

A computer product for creating and implementing incentive programs for use by a plurality of users corresponding to a plurality of interconnected computers, said computer product being adaptable to operate in association with a server computer connected to said plurality of interconnected computers, said computer product comprising:

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(a) an incentive customization facility accessible to said plurality of users who are authorized to access said incentive customization facility, said incentive customization facility providing means for designing, creating and implementing incentive programs based on a reward currency; and

(b) an e-commerce facility that permits the processing of electronic transactions by said plurality of users authorized to access said e-commerce facility based on said reward currency. The same rejection applied to claim 1 is applied to claim 12.

As per claim 13, Eggleston teaches:

A method of designing, creating and implementing incentive programs for use by a plurality of users corresponding to a plurality of interconnected computers comprising the steps of:

(a) providing a server computer accessible to said plurality of interconnected computers, said server computer comprising:

(i) an incentive customization facility accessible to said plurality of users who are authorized to access said incentive customization facility, said incentive customization facility providing means for designing, creating and implementing incentive programs based on a reward currency; and

(ii) an e-commerce facility that permits the processing of electronic transactions by said plurality of users authorized to access said e-commerce facility based on said reward currency;

(b) registering for access to said incentive customization facility and e-commerce facility; and

(c) designing, creating and implementing an incentive program based on reward currency using said incentive customization facility. The same rejection applied to claim 4 is applied to claim 13.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Postrel teaches a system for operating a reward points accumulation and redemption program.

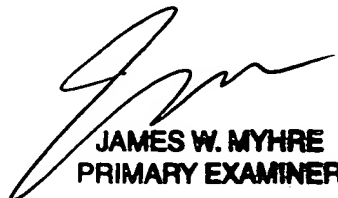
Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 703-305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DL

Daniel Lastra
September 2, 2004


JAMES W. MYHRE
PRIMARY EXAMINER